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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

January 11, 2012

Certified Return Receipt
7004 1160 0003 0191 8694

Cole Pilling
TM Crushing, LLC
PO Box 437
Lehi, Utah 84043

Subject: Division Directive, TM Crushing LLC, Talon Cove #2 Allred Pit Mine, S/049/0087, Utah County, Utah

Dear Mr. Pilling:

On September 12, 2011, the Division of Oil, Gas and Mining sent a review of your proposed Notice of Intention to Commence Small Mining Operations (NOI). That review identified the following deficiencies:

General Information: Cultural Resources:

1. Pursuant to Utah Code Annotated 9-8-404, please provide the results of a cultural resource survey for the project area. This is needed for the Division to evaluate any impacts to cultural resources that could result from your project.

R647-3-105 Project Location and Maps:

1. The 'General Location Map' (located as an appendix to the SWPPP) does not show the proposed permit area boundary or the access route to the site. Please provide a general location map with this information.
2. Please provide an operations map (scale 1 inch=200 feet) which shows the area to be mined, location(s) of topsoil stockpile(s) product stockpile(s), facilities, highwalls (if any), areas of previous mining for which you are not responsible, etc.
3. Please note whether the project is within an incorporated area. This item is on our current form.

R647-3-111 Surety:

1. A reclamation surety in the amount of \$26,700 has been provided, but the Division needs a reclamation contract. Please contact Penny Berry at bondcoordinator@utah.gov or 801-538-5291 for the reclamation contract.



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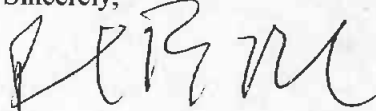
To date, the only item that has been resolved is the surety and reclamation contract; the Division has not received anything regarding the other four items.

By January 27, 2012, you must submit a response to the other items in this review. Failure to do so will result in issuance of a cessation order requiring cessation of mining activities. The cessation order will also carry a civil penalty.

Please provide your response as replacement pages (or additional pages, as appropriate) to your original NOI, using Form MR-REV-SMO/EXP, available on the Division's web site at www.ogm.utah.gov/minerals.

If you have any questions regarding this letter, please call me at 801-538-5261 or Lynn Kunzler at 801-538-5310. In reply, please refer to file number S/049/0087. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Baker', written over a horizontal line.

Paul B. Baker
Minerals Program Manager